

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

PRIDE CENTER OF TERRE HAUTE, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:25-cv-76
)	
PRESIDENT, INDIANA STATE UNIVERSITY,)	
in his official capacity;)	
VICE PRESIDENT FOR UNIVERSITY)	
ENGAGEMENT, INDIANA STATE)	
UNIVERSITY, in her official capacity,)	
)	
Defendants.)	

Complaint for Injunctive and Declaratory Relief

Introduction

1. The Pride Center of Terre Haute, Inc., is a non-profit organization that is dedicated to creating a positive impact on the lives of LGBTQ+ individuals in and around Vigo County. To further this purpose, it has sponsored and organized a Pride festival that was held in 2023 and 2024 in the Quad, an open area on the campus of Indiana State University ("ISU") that pursuant to ISU policies and Indiana law is open for expressive activity. The festival has occurred in the past with the permission and support of ISU. However, ISU is refusing to allow Pride Fest 2025 to be held on ISU property, although this is the Pride Center's preferred site for the festival. This is part of a recent pattern of ISU preventing or discouraging actions and events that are intended to support the LGBTQ+ community.

The actions of ISU in not allowing Pride Fest 2025 to occur on campus violates the First Amendment to the United States Constitution. ISU should be enjoined to allow the festival to occur on its campus as the Pride Center has requested.

Jurisdiction, venue, and cause of action

2. This Court has jurisdiction of this case pursuant to 28 U.S.C. § 1331.
3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391.
4. Declaratory relief is authorized by Federal Rule of Civil Procedure 57 and by 28 U.S.C. §§ 2201, 2202.
5. This action is brought pursuant to 42 U.S.C. § 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States.

Parties

6. The Pride Center of Terre Haute, Inc. is an Indiana nonprofit corporation located in Terre Haute, Indiana.
7. The President of Indiana State University is the duly appointed head of ISU, a public university, which is also located in Terre Haute, Indiana.
8. The Vice President for University Engagement at Indiana State University is the office responsible for working with the community outside of the campus.

Facts

9. The Pride Center provides a range of services and resources to assist LGBTQ+ individuals in the greater Vigo County area and provides a safe space for the individuals

to meet, socialize, and find support. This includes students and staff of ISU.

10. The Pride Center also promotes education and awareness about LGBTQ+ issues and advocates for these issues.

11. Pride festivals, which take place throughout the United States, are designed to promote and celebrate the LGBTQ+ community, promote equality, and foster inclusivity.

12. In September of both 2023 and 2024 the Pride Center organized Pride festivals.

13. In both years, the Pride Center sought and received permission from ISU to hold the festival on the ISU Quad, a large open area of the campus.

14. Not only did ISU allow the 2023 and 2024 events to occur on the ISU Quad, but ISU was the primary sponsor of each year's event. The announcement of the 2024 event from the ISU website is attached as Exhibit 1.

15. It was extremely important that the event take place on ISU's campus as the Pride Center wanted to reach and support as many students as possible and wanted to present ISU as a welcoming environment for LGBTQ+ persons. Also, having the event at the preeminent public institution of higher education in the Vigo County area reenforced the message of inclusivity that Pride festivals demonstrate and furthered the Pride Center's essential purposes.

16. Both the 2023 and 2024 festivals were very successful.

17. Shortly after the 2024 festival, the Pride Center again reached out to ISU to reserve the Quad for Pride Fest 2025, to be held on September 20, 2025.

18. The official policies of ISU, approved by its Board of Trustees, defines the open areas of the campus as “public space areas” and provide that “[e]xcept when an outdoor area of campus has been reserved in advance, individuals may engage in protective expressive activity in any outdoor area of campus that is generally accessible to the public subject to . . . time, place, and manner restrictions.” Indiana State University Policy 710.2.3, 710.8.1.

19. This is consistent with Indiana law that provides that persons may “freely engage” in “noncommercial protected expressive activity” in any outdoor areas of a public university campus, provided the activity is lawful, does not substantially and materially disrupt university functions, does not interfere with others who have reserved the space, and does not involve expression that is not protected by the First Amendment. Ind. Code § 21-39-8-10.

20. Although representatives of the Pride Center contacted ISU on numerous occasions over the course of several months, there was no response to the request to hold Pride Fest 2025 on the Quad at ISU.

21. Instead, in December of 2024, an announcement was made during a meeting of the Terre Haute Human Rights Commission that Pride Fest 2025 would not be held on the campus of ISU but would be held at Fairbanks Park, a public park in Terre Haute.

22. At no time was anyone associated with the Pride Center consulted about this move even though the Pride Center is the organizer of the event.

23. For the reasons noted above, the Pride Center wishes Pride Fest 2025 to occur on the ISU campus.

24. Pride Center has learned that officials at ISU reached out to the Office of the Terre Haute Mayor to request that Pride Festival 2025 take place away from campus.

25. This is part of a recent pattern of officials at ISU cancelling, restricting, or threatening to cancel or restrict efforts designed to support and promote LGBTQ+ individuals and LGBTQ+ issues on the ISU campus.

26. This includes, among other things:

- ISU students reporting that ISU leadership asked students leading new student orientation in August of 2024 not to share preferred pronouns.
- The Born This Way Celebrating Queer Graphics Program that took place at ISU in January of 2025 being prevented from having drag performers at its reception on campus. Additionally, ISU refused to issue a university-wide press release for the event, and instructed that if the event was posted on social media or advertised in some other way that the post or advertisement should avoid using such terms as “queer,” “LGBTQ+,” or “gender identity” in promoting the program. ISU approved the use “identity” and “expression.” The reception for the event, originally scheduled to take place on ISU’s campus, was held at the Pride Center.
- Potential cancellation of the Drop of Lavender LGBTQ+ Conference that had been scheduled for April of 2025. This is an annual event that introduces students and prospective students to the campus-LGBTQ+ community. ISU has advised the organizers of the event to host it off campus.

27. The refusal of ISU to allow the Pride Center to hold Pride Fest 2025 on the ISU campus is directly related to the message conveyed by Pride Fest and represents a content- and viewpoint-based denial of Pride Center’s First Amendment rights. ISU’s actions are not supported by any governmental interest, let alone a compelling one, and

are certainly not narrowly tailored to that interest.

28. The Pride Center desires to have Pride festivals on the ISU campus annually beyond 2025.

29. At all times defendants have acted under color of state law.

30. The actions of defendants are causing plaintiff irreparable harm for which there is no adequate remedy at law.

Legal claim

31. Defendants are violating the First Amendment rights of plaintiff.

Claim for relief

WHEREFORE, plaintiff requests that this Court:

- a. accept jurisdiction of this case and set it for hearing at the earliest opportunity;
- b. declare that the actions of defendants as related above violate the First Amendment to the United States Constitution;
- c. enter a preliminary injunction, later to be made permanent, enjoining defendants to allow Pride Fest 2025 to occur on the Indiana State University campus as requested and as it has been in prior years;
- d. award plaintiff its costs and reasonable attorneys' fees.
- e. award all other proper relief.

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